

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN CORTES SALCEDO,

Plaintiff,

v.

SHASTA COUNTY SHERIFF, et al.,

Defendants.

No. 2:19-cv-2627-EFB P

ORDER

Defendants Cortez and Rabone filed a motion to for summary judgment, which is currently noticed for hearing on April 7, 2021. ECF No. 37. Court records reflect that plaintiff has not filed an opposition or statement of non-opposition to the pending motion.

Local Rule 230(c) provides that opposition to the granting of a motion, or a statement of non-opposition thereto, must be served upon the moving party, and filed with this court, no later than fourteen days preceding the noticed hearing date or, in this instance, by March 24, 2021. Local Rule 230(c) further provides that “[n]o party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely filed by that party.”

Because plaintiff has failed to file an opposition or statement of non-opposition to defendants' motion for summary judgment, as required by Local Rule 230, the hearing on the motion for summary judgment must be continued. Further, plaintiff is ordered to file an opposition to the motion or a statement of non-opposition thereto. Failure to comply with this

1 order may result in a recommendation that this case be dismissed for failure to prosecute, comply
2 with court orders, and/or this court's Local Rules. *See* Fed. R. Civ. P. 41(b).

3 Accordingly, good cause appearing, it is ORDERED that:

4 1. The hearing on defendants' motion for summary judgment (ECF No. 37) is
5 CONTINUED to April 28, 2021 at 10:00 a.m.

6 2. Plaintiff shall file an opposition to the motion, or a statement of non-opposition
7 thereto, no later than April 14, 2021.

8 3. Failure of plaintiff to file an opposition to the motion will be deemed a statement of
9 non-opposition thereto and may result in a recommendation that this case be dismissed for failure
10 to comply with court orders and this court's Local Rules. *See* Fed. R. Civ. P. 41(b).

11 4. Defendants may file a reply to plaintiff's opposition, if any, on or before April 21,
12 2021.

13 DATED: March 25, 2021.



14 EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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